

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)

Attorney Docket: 225/48167CO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Box PATENT APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a X continuation or \_\_\_\_\_  
divisional application under 37 C.F.R. 1.53(b), of pending prior  
application:

Serial No. 09/381,466  
Filed on December 28, 1999  
Of Rainer Gadow et al.  
Entitled: FIBER-REINFORCED COMPOSITE CERAMICS  
INFILTRATED WITH MOLTEN METAL  
Examiner: R. Weisberger  
Group: 2164  
Batch No: \_\_\_\_\_

- X 1. Accompanying this order is a true copy of the  
prior application as originally filed.  
Total pages 32
2. New Formal drawings are being filed herewith  
consisting of \_\_\_\_\_ sheet(s), depicting Figures  
\_\_\_\_\_.
- X 3. Declaration and Power of Attorney:
- a. \_\_\_\_\_ Newly executed (original or copy)
- b. X Copy from prior application
- i. \_\_\_\_\_ Deletion of Inventors - signed statement  
attached deleting inventor(s) named in the  
prior application
- X 4. Incorporation by Reference:

The entire disclosure of the prior application,  
from which a copy of the oath or declaration is  
supplied under Box 3b, is considered as being  
part of the disclosure of the accompanying  
application and is hereby incorporated by  
reference therein.

- X   5. Cancel original claims 1-35.
6. Small entity status:
- a.        A small entity statement is enclosed
- b.        A statement of small entity status (copy attached) was filed on                      in the prior application and status as a small entity is still proper and desired.
- c.        Is no longer claimed
- X   7. The filing fee is calculated below:

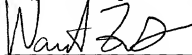
CLAIMS AS FILED, INCLUDING ANY CLAIMS  
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

- |   |                  |           |
|---|------------------|-----------|
| Basic Fee   | \$355            | \$710     |
| Total Claims <u>  47  </u> - 20 = <u>  27  </u> x 9 = \$ <u>      </u> 18 = <u>\$486.00</u> |                  |           |
| Ind. Claims <u>  2  </u> - 3 = <u>      </u> x 40 = \$ <u>      </u> 80 = \$ <u>      </u>  |                  |           |
| <u>      </u> Multiple Dependent Claims + 135 = \$ <u>      </u> 270 = \$ <u>      </u>     |                  |           |
| Total   | \$ <u>      </u> | \$1196.00 |
8. Please charge my Deposit Account No. 05-1323 (Docket #           ) in the amount of \$       .
- X   9. A check in the amount of \$1,196.00 to cover the filing fee is enclosed.
- X   10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #225/48167CO).
- X   11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 09/381,466, filed December 28, 1999, which is a National Stage of PCT/EP98/00951, filed on February 19, 1998.--
- X   12. Priority of Appln. No(s). 197 118 31.3, filed in Germany on March 21, 1997, is hereby claimed under 35 U.S.C. 119.
13. A certified copy of each said priority document was filed in application Serial No.            on           .

- X   14. The prior application is assigned of record to DaimlerChrysler AG.
- X   15. The power of attorney in the prior application is to:
- Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.
- X   a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X   d. Address all future correspondence to:
- CROWELL & MORING, L.L.P.  
P.O. Box 14300  
Washington, DC 20044-4300
- X   16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X   17. A Preliminary Amendment is being filed herewith.
- X   18. Return Receipt Postcard.
19. Other:

August 23, 2001

Respectfully submitted,



Warren A. Zitlau  
Registration No. 39,085

Donald D. Evenson  
Registration No. 26,160

DDE:WAZ:vca  
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